

Minutes of the Veneta City Council

October 27, 2008

Present: Mayor T. J. Brooker, Thomas Cotter, Darrell Carman, Sharon Hobart-Hardin and Marion Esty

Others: Ric Ingham, City Administrator; Jerri Moore, Finance Director; Brian Issa, Community Services Director; Sheryl Hackett, City Recorder; Darci Henneman, Assistant City Recorder; Scott Sanders, Colin Rea, Sandy Smith, Gayle Townsend and Ephraim Payne, West Lane News

Mayor Brooker called the Veneta City Council to order at 7:00 p.m.

1. PUBLIC COMMENT

Scott Sanders, 88029 Ninth Street, Veneta, OR

Mr. Sanders requested on behalf of the Fern Ridge Community Library the City's support by making a \$5,000 donation to the Library. He said the funds raised by the library will be used to build more shelving and storage in the children's area and create a new "teen area". He said funds will also be used to make the Library more energy efficient. Mr. Sanders said these improvements would not increase the library operating costs. He said in the last five years library attendance has increased by 29% and over 65,000 people frequented the library last year. The Library Committee is requesting two \$2,500 donations from the City, one in 2008 and one in 2009.

Colin Rea, 88026 Territorial Road, Veneta, OR

Mr. Rea is the Director of the Fern Ridge Community Library. He spoke on behalf of the library's fund raising campaign, "Renovate 08". He said last week 50 people attended the weekly story time on Wednesday afternoon. He said the library sees a lot of community members. He thanked the City Council for considering their request.

2. CONSENT AGENDA

MOTION: Sharon Hobart-Hardin made a motion to approve the consent agenda as presented. Thomas Cotter seconded the motion.

Vote: Thomas Cotter, aye; Marion Esty, aye; Mayor Brooker, aye; Darrell Carman, aye; and Sharon Hobart-Hardin, aye.

The Consent agenda was approved including Minutes for October 13, 2008, Bills Payable for September/October, 2008, and the Civic Calendar for November, 2008.

3. DEPARTMENT REPORTS

a. FROM MAYOR/COUNCILORS

- (1) Sandy Smith and Gail Townsend requested a donation from the City Council on behalf of the 2009 Elmira High School Graduation Night Committee. Ms. Smith said there are potentially 94 seniors graduating in 2009. She said the results of a survey of the senior students indicated going to a theme/amusement park was the most popular way they wanted to celebrate the night. Ms. Smith said there is an amusement park in Portland and one in Tacoma that are available. She said the cost of the trip for entire graduating class would be upwards of \$10,000. Currently the students have raised approximately \$2,000. She said participants of the grad night party will be asked to contribute \$50 each. She said if all 94 students attend at \$50 each, plus the \$2,000 already fundraised, they will have \$6,700 of the \$10,000 needed. She said many students cannot afford the \$50 payment so the committee would like to provide scholarships for those who would otherwise not be able to attend.

Ms. Townsend said Fern Ridge School District no longer sponsors the event. She said grad night will provide the seniors with an opportunity to have fun at a structured, non-alcoholic event. She said attendance has decreased in previous years so they want to encourage this years' senior to participate in the event. She said both parks require a deposit be made by January 2009.

In response to a question from Mayor Brooker, Jerri said there have been no expenditures from the discretionary account which has a budget of \$3,500.

In response to a question from Thomas Cotter, Darci indicated the Council made a \$100 donation to the 2008 Elmira High School Graduation Night event.

Sharon Hobart-Hardin said if possible, she would like make a \$1,000 donation.

Marion Esty thanked Ms. Smith and Ms. Townsend.

Darrell Carman agreed the City should participate but said the state of the economy will bring more donation requests to the City and felt the Council should make a smaller donation in order to fulfill future donation requests.

Thomas Cotter agreed with Darrell Carman to make a smaller donation and that donation requests should be spread out evenly. He suggested a \$250 donation now and another \$250 as matched funds if they raise a certain amount.

Mayor Brooker said the concept is good but he would like to weigh it with other requests throughout the year. He suggested a \$500 donation now and an additional \$500 donation earmarked to pay for scholarships if they reach the \$10,000 goal. He said the group would have to make another request for the additional \$500 donation.

The Council reached a consensus to make a \$500 donation now and asked the group to make an additional donation request in a few months if they need to.

MOTION: Sharon Hobart-Hardin made a motion to approve a \$500 donation to the Elmira High School graduating class of 2009 for the graduation celebration. Marion Esty seconded the motion which passed with a vote of 5-0.

- (2) Fern Ridge Community Library Campaign Request
Scott Sanders and Colin Rea spoke on behalf of the "Campaign Renovate 08" committee to raise funds for improvements to the library. They requested a \$5,000 donation to be made in two \$2500 contributions, one in 2008 and one in 2009.

In response to a question from Sharon Hobart-Hardin, Jerri said the City Council may make a contribution in FY 2008/2009 but any contributions planned for FY 2009/2010 may not be approved by the Budget Committee.

In response to a question from Thomas Cotter, Jerri said the Council approved appropriations of \$3,500 in the discretionary account in the Zumwalt Campground Fund and a new contingency account was created with an additional \$3,500 budget.

Ric Ingham arrived at 7:25 p.m. Sharon Hobart-Hardin briefed him on what agenda item the Council was discussing. Mayor Brooker asked Ric to explain the two donation contributions – one in 2008 and one in 2009.

Ric agreed the Council could not make a donation in 2009 without consent from

the Budget Committee.

Mayor Brooker suggested the Council donate \$2,500 this year with the intent to make a donation the following year subject to approval by the Budget Committee.

Mr. Sanders said it would be the library's responsibility to negotiate the donation next year. He said the campaign is aware of the Council's inability to commit to a donation in FY 2009-2010.

In response to a question from Sharon Hobart-Hardin, Jerri said the Council could make a donation from the discretionary account between now and December 2008. Jerri said a budget amendment would need to be done if a second \$2,500 donation is made in FY 2008-2009.

MOTION: Sharon Hobart-Hardin made a motion to approve a \$2500 donation be made to the Fern Ridge Community Library and in May, 2009 make another request for an additional \$2,500 if needed.

After discussing the matter further, the consensus of the Council was to make a \$2,500 donation now and if the library has not met their fundraising goal, they would need to make another request next fiscal year.

MOTION: Sharon Hobart-Hardin motioned to amend the previous motion.

MOTION: Darrell Carman made a motion to approve a \$2500 donation to the Fern Ridge Community Library and directed the City Council to recommend to the 2009 Budget Committee to make the second \$2,500 donation in 2009-2010. Sharon Hobart-Hardin seconded the motion which passed with a vote of 5-0.

b. COUNCIL/COMMITTEE LIAISONS

- (1) Law Enforcement Activities Report, Sgt. Harrold, LCSO
Sgt. Harrold said in coordination with City staff and the LCSO, the skate park was recently closed and locked down because of litter and vandalism. He said Deputy Denham organized a cleaning party for the skate park which had good participation.

Mayor Brooker said he got a call at home from a parent that would not let her child go to the skate park because of drug activity at the park. Sgt. Harrold said Deputy Denham cited two older boys smoking marijuana at the skate park. He said the high participation in the clean up of the park has resulted in sharing information with the deputies. He said negative behavior will get the park closed again, therefore, when younger kids and/or adults see negative behavior or activity they report it to the deputies.

Sgt. Harrold said over the last month an individual has been in and out of the Lane County jail for car theft. He said once again having Christina Doolittle, a Lane County Parole and Probation Officer, in the LCSO Veneta substation is really paying off. He said information is shared and efforts are coordinated resulting in relatives getting involved with a family member's Parole and Probation Officer. He said a list of 15 repeat offenders have either been incarcerated or have moved from the area. He said this is very good.

Sgt. Harrold also commented on the Countryside Pizza burglary. He was pleased to see the business owner speak highly of the LCSO law enforcement services he had received over the last few years. Sgt. Harrold also indicated a shift change

will take place in mid November. He said this will provide for earlier morning traffic patrol coverage.

David Hitt, 87576 Trek St., Veneta, OR,

Mr. Hitt asked about the two young men who were issued a citation for possession of less than an ounce of marijuana at the skate park. He asked why the juveniles did not receive a felony charge for being within 1000 feet of a school. Sgt. Harrold said juveniles cannot be charged with a felony. He said felony charges would only apply to an 18 year old or older adult.

4. STAFF REPORTS

a. FINANCE DIRECTOR..... JERRI MOORE

(1) Audit Update

Jerri said Mr. Tuchscherer's auditing firm completed the audit field work process. She said the new auditing firm is more technologically oriented than the previous auditor which allowed them to complete the audit field work in a shorter time period. Jerri said Mr. Tuchscherer will be here on Wednesday, October 29 if Council members would like to meet him.

In response to a question from Sharon Hobart-Hardin, Jerri said the auditor will meet the audit deadline.

Jerri said she has started working on the Request for Proposal (RFP) document for the software replacement.

3. b. COUNCIL/COMMITTEE LIAISONS (con't.)

Marion Esty said she attended the Fern Ridge Community Library's "Renovate '08" meeting. She said she, Denise Hand, a Veneta Parks Board member and a small group attended the Garden Club meeting at the library. She said they both received a phone call from a member of the Junction City Garden Club inviting them to their meeting in November. Marion Esty said the previous Veneta Garden Club is still interested in participating with the new garden club.

Marion Esty said after recovering from an illness in August, she would like to be a write-in candidate for one of the Veneta City Council vacancies. She said her candidacy will not interfere with Sandra Larson's write-in candidacy. She said she has been a member of the Lane County Planning Commission for eight years and on the Lane County Senior and Disabled Committee for 12 years. She also indicated that when voting for a write-in candidate, voters need to write the person's name and also draw a line connecting the arrow in order for the vote to be counted.

Mayor Brooker thanked Marion Esty for the information but indicated a City Council meeting is not the place to do politicking.

Thomas Cotter said approximately 80% of the residents he canvassed last Saturday gave a positive response to Measure 20-140. He said door hangers were also left if no one was home. He said some residents indicated they would rather have more police protection than a new pool and some residents didn't understand the dollar amount attached to the Measure; they thought it would be more expensive for residents.

Darrell Carman said the three City Alliance committee met on October 22, 2008.

He said a few things got accomplished and the coordinated population numbers were discussed.

Sharon Hobart-Hardin said the West Lane cities will meet in January 2009. She said they hope to have full Councils from each city attend that meeting. She said transportation issues will be on the agenda, in particular Highway 126. She said Junction City is not impacted by that but will be once the prison is built. She was very encouraged by the end of the meeting. She said by pooling resources, the three cities could get common goals accomplished. She also said the League of Oregon Cities sponsored a small cities gathering. She said representatives from as far away as Scio and Cottage Grove participated. She said most everyone voiced concerns about upcoming legislative changes.

4. (con't.)

b.

COMMUNITY SERVICES DIRECTOR..... BRIAN ISSA

(1) Tree Ordinance Fee Resolution

- (a) Resolution No. 984, A RESOLUTION ESTABLISHING TREE PERMIT FEES, ESTABLISHING MITIGATION FEES, ADOPTING A LIST OF APPROVED STREET TREES, AND REPEALING RESOLUTION 772

Brian said Resolution 984 repeals the previous heritage tree resolution. He said the new tree ordinance was adopted at the last Council meeting and has a provision for adopting application and mitigation fees by resolution. He said the revised code is heavily weighted towards mitigation, which is similar to the City's wetland mitigation schedule. He said the code allows for options other than planting on site, i.e., a fee in lieu of or planting trees on other City property.

Brian reviewed the application fees for the four types of tree removal permits type A, B, C and D. Type A permits would apply to a homeowner wanting to remove up to three non-heritage trees. There is no charge for Type A permits. Type B permits would apply to a homeowner or developer wanting to remove a heritage tree. The application fee is \$150. Type C permits apply to subdivisions, partitions or large developments. He said the cost is billed for actual staff processing time, including all professional consulting fees, as part of a development review. Type D permits would be a commercial harvest permit. Brian said the City is not likely to see many of these. The application fee for a Type D permit is \$300.

Brian said the mitigation fee for a non-heritage tree is \$250 per replacement tree for Type B and C permits. He said the minimum fee for a heritage tree is \$250 and the maximum is \$2,500. For example, if a homeowner wanted to remove a 20 inch heritage tree, three trees would need to be planted to replace it. He said staff proposed capping the mitigation fee for Type B permits at \$2500 and \$5000 for Type C permits.

In response to questions from Sharon Hobart-Hardin, Brian said removal of a dead or dying tree would not require mitigation. He said a hazardous tree is defined as an "imminent hazard" and an arborist would need to be consulted. Brian said in determining the mitigation fee, staff reviewed fees charged by other cities' which varied from \$200 to \$400 per tree. He said the proposed fee for Veneta is on the low side depending on the species and size of the tree being mitigated.

(a) Public Comment

Scott Sanders, 88029 Ninth Street, Veneta, OR

In response to several questions by Mr. Sanders, Brian said if a tree is determined to be a danger there would be no fees assessed for its removal. He said the City will also provide replacement trees. Brian said if a large developer needed to mitigate for trees removed, the trees could be planted on site, in City right-of-ways or a City park. He said once mitigated trees are in the ground, they have a different status. Brian said the landscaping code also ties into this.

In response to a question from Mr. Sanders, Brian said if considerably large trees are slated for removal due to a development, the cost of removal would initiate the mitigation process.

Brian said most of the trees in Veneta are Douglas fir and the majority of those trees are less than the qualifying size. He said any Douglas fir tree smaller than 18 inches in diameter does not count as a "tree".

MOTION: Sharon Hobart-Hardin made a motion to approve Resolution No. 984 repealing Resolution No. 772. Thomas Cotter seconded the motion which passed with a vote of 5-0.

c. CITY ADMINISTRATORRIC INGHAM

(1) TSP License Agreement for Bolton Hill property
Ric provided an updated copy of the TSP License Agreement to the Council. He said legal counsel suggested the City enter into a license agreement with TSP and not a lease. He said TSP representatives requested Section 7, Terms of Agreement, be extended to a three year automatic renewal period after the first five years. He said initially the Agreement called for a five year agreement with annual renewals. He said he and Mayor Brooker recommended this change.

Mayor Brooker said it's important that we give them a long term commitment from the City. He said the City continues to hold the right to terminate the agreement.

MOTION: Darrell Carman made a motion to enter into the TSP License Agreement. Sharon Hobart-Hardin seconded the motion.

In response to a question from Thomas Cotter, Ric said we would apply the City's parks standards to address tobacco and/or alcohol use on the facilities. He said currently the City has not prohibited any kind of tobacco use in City parks but alcohol is prohibited.

Sheryl indicated the City's park rules consist of park hours only but alcohol and tobacco use may be covered under another general ordinance.

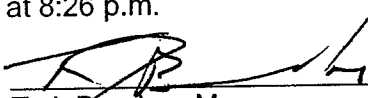
Mayor Brooker asked staff to look at the park rules and provide further information on this matter at the November 10, 2008 Council meeting.

VOTE: The Motion passed with a Vote of 5-0.

5. **OTHER**
None

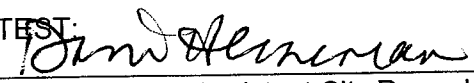
6. **ADJOURN**

Mayor Brooker adjourned the City Council at 8:26 p.m.



T. J. Brooker, Mayor

ATTEST:



Darci Henneman, Assistant City Recorder
(minutes prepared by Dhenneman)